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BEFORE THE ARIZONA CORPORATION COMMISSION RECEIVED

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Arizona Corporation Commission

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MARC SPITZER, Chairman
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[Signature]

IN THE MATTER OF U S WEST
COMMUNICATIONS, INC.'S COMPLIANCE
WITH § 271 OF THE TELECOMMUNICATIONS
ACT OF 1996.

DOCKET NO. T-00000A-97-0238

IN THE MATTER OF QWEST CORPORATION'S
COMPLIANCE WITH SECTION 252(e) OF THE
TELECOMMUNICATIONS ACT OF 1996.

DOCKET NO. RT-00000F-02-0271

ARIZONA CORPORATION COMMISSION

DOCKET NO. T-01051B-02-0871

Complainant.

v.

QWEST CORPORATION,

PROCEDURAL ORDER

Respondent.

BY THE COMMISSION:

On December 1, 2003, a Recommended Opinion and Order was issued in the above-captioned matters. The accompanying cover sheet gave parties until December 10, 2003 to file Exceptions to the Recommended Opinion and Order.

On December 3, 2003, Qwest Corporation ("Qwest") filed a Motion to Extend Time for Filing Exceptions. Qwest requests that the deadline for filing Exceptions be extended until December 19, 2003, given the complexity of the proceedings.

By Procedural Order dated December 4, 2003, the deadline for filing exceptions was extended until December 19, 2003.

On December 19, 2003, Qwest filed Exceptions to the December 1, 2003, Recommended Opinion and Order.

1 On December 22, 2003, AT&T Communications of the Mountain States, Inc. and TCG
2 Phoenix (collectively "AT&T"), intervenors in the above-captioned matters, filed a Motion for Leave
3 to File a Reply to Qwest's Exceptions. AT&T states that in its exceptions, Qwest makes a number of
4 assertions of fact and law that AT&T believes are incorrect or misleading and asserts that the
5 Commission would be well-served by allowing interested parties the opportunity to file replies to
6 exceptions.

7 The procedural history, facts and legal issues involved in the underlying dockets are complex.
8 In addition, Qwest's exceptions raise several new due process issues concerning the Recommended
9 Opinion and Order. Under the unique circumstances of this proceeding, allowing interested parties to
10 respond to Qwest's exceptions is reasonable and in the public interest.

11 Staff filed its recommendations in the Section 271 sub-docket on May 6, 2003. On May 19,
12 2003, Qwest filed Exceptions Regarding Section 271 Sub-docket—Staff Report and
13 Recommendation and Request for Hearing. At that time Qwest stated that it "requests a hearing with
14 respect to the penalties proposed by Staff." By Procedural Order dated June 19, 2003, the
15 Commission scheduled a Procedural Conference to discuss the nature of further proceedings. On
16 June 27, 2003, Qwest and Staff filed a Joint Motion to Extend the Time for Procedural Conference,
17 stating they were in the process of negotiating a settlement agreement that involved the 271 sub-
18 docket. The Procedural Conference was continued indefinitely. In its Exceptions to the December 1,
19 2003 Recommended Order, Qwest asserts that the Recommended Order deprives Qwest of
20 significant procedural rights. Qwest states that it withdrew its request for a hearing in the 271 sub-
21 docket conditioned on the Commission's acceptance of the Settlement Agreement, and that it
22 reserved its right to renew the request for a hearing. Accordingly, in the interest of maintaining a fair
23 and complete process, a procedural conference will be set to determine if Qwest is renewing its
24 request for a hearing and to establish the procedures for such hearing.

25 IT IS THEREFORE ORDERED that all interested parties shall file responses, if any, to
26 Qwest's December 19, 2003 exceptions by January 12, 2004.

27 IT IS FURTHER ORDERED that a Procedural Conference for the purpose of determining a
28 hearing process in the Section 271 sub-docket (Docket No. T-00000A-97-0238) shall commence on

1 January 15, 2004 at 10:30 a.m. at the Commission's offices, 1200 West Washington, Phoenix,
2 Arizona.¹

3 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
4 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

5 DATED this 5th day of January, 2004.

6 
7 JANE L. RODDA
8 ADMINISTRATIVE LAW JUDGE

9 Copies of the foregoing mailed/delivered
10 this 5th day of January, 2004, to:

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38 ¹ The call-in number for those parties participating telephonically is 602 542-9006.

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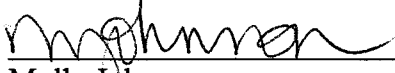
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